



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
West Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2004-2660 (IP-MN) **NOV 6 2004**

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

APPLICANT: Applied Building Development Company - Oakhills, Inc.
8000 The Esplanade
Orlando, FL 32836

WATERWAY & LOCATION: The project is located in freshwater forested adjacent to Reedy Creek in Section 13, Township 26 South, Range 27 East, and Sections 18 and 19, Township 26 South, Range 28 East, Polk County, Florida.

DIRECTIONS TO SITE: Proceed NE from Haines City on US 17-92 past the town of Davenport to the existing Oak Hills Boulevard on the right. There exists a development called Oak Hills Estates at this site.

LATITUDE & LONGITUDE:

Latitude: 28°13'13" Longitude: 81°33'12"

PROJECT PURPOSE:

Basic: Roadway extension and residential/commercial development

Overall: Road is proposed to service residential subdivision pods along the length of the access road. Some fill would be necessary for parts of the subdivisions.

PROPOSED WORK: The applicant proposes to discharge clean fill in 4.78 acres of wetlands and 3.16 acres of other waters of the United States to extend Oak Hills Boulevard for a distance of approximately 3 miles not including the proposed subdivision feeder roads, and to provide for subdivision improvements as noted on Table 1. The main road will be mostly 4-lane divided and the side roads would be 2-lane. A portion of the main road would be initially 2-lane but impacts are based on a 4-lane divided roadway. There would be a cul-de-sac at the southern end. No other wetlands would be impacted by the subdivisions and all other wetlands would be preserved.

EXISTING CONDITIONS: Oak Hills Boulevard exists next to US 17-92 and the wetland impacts were authorized by DA permit 199400511 (IP-DS) issued on May 4, 1995 to Janice A. Summers Realty.

PROPOSED MITIGATION: The applicant has not proposed direct mitigation for the impacts associated with the project. However, all remaining wetlands on this project site would be preserved through a conservation easement to the appropriate WMD (either SWFWMD or SFWMD) to include the scrub jay preserve. The wetlands to be preserved total approximately 660 acres much of which is adjacent to Reedy Creek.

ENDANGERED SPECIES: The applicant provided the results of a wildlife survey that included the wood stork, Florida scrub-jay, eastern indigo snake, and Florida sand skink. In addition, a new bald eagle nest has been identified on the project site. The applicant would implement the standard snake protection conditions. Based on the information provided by the applicant, the U.S. Army Corps of Engineers (Corps) has made a determination that the proposed work "may affect but would not likely adversely affect" the eastern indigo snake, Florida scrub-jay, and the wood stork. In addition, the Corps has determined that the proposed project "may affect" the sand skink and bald eagle. The Corps, under separate cover, is coordinating these determinations with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act and requesting formal consultation for the sand skink and bald eagle.

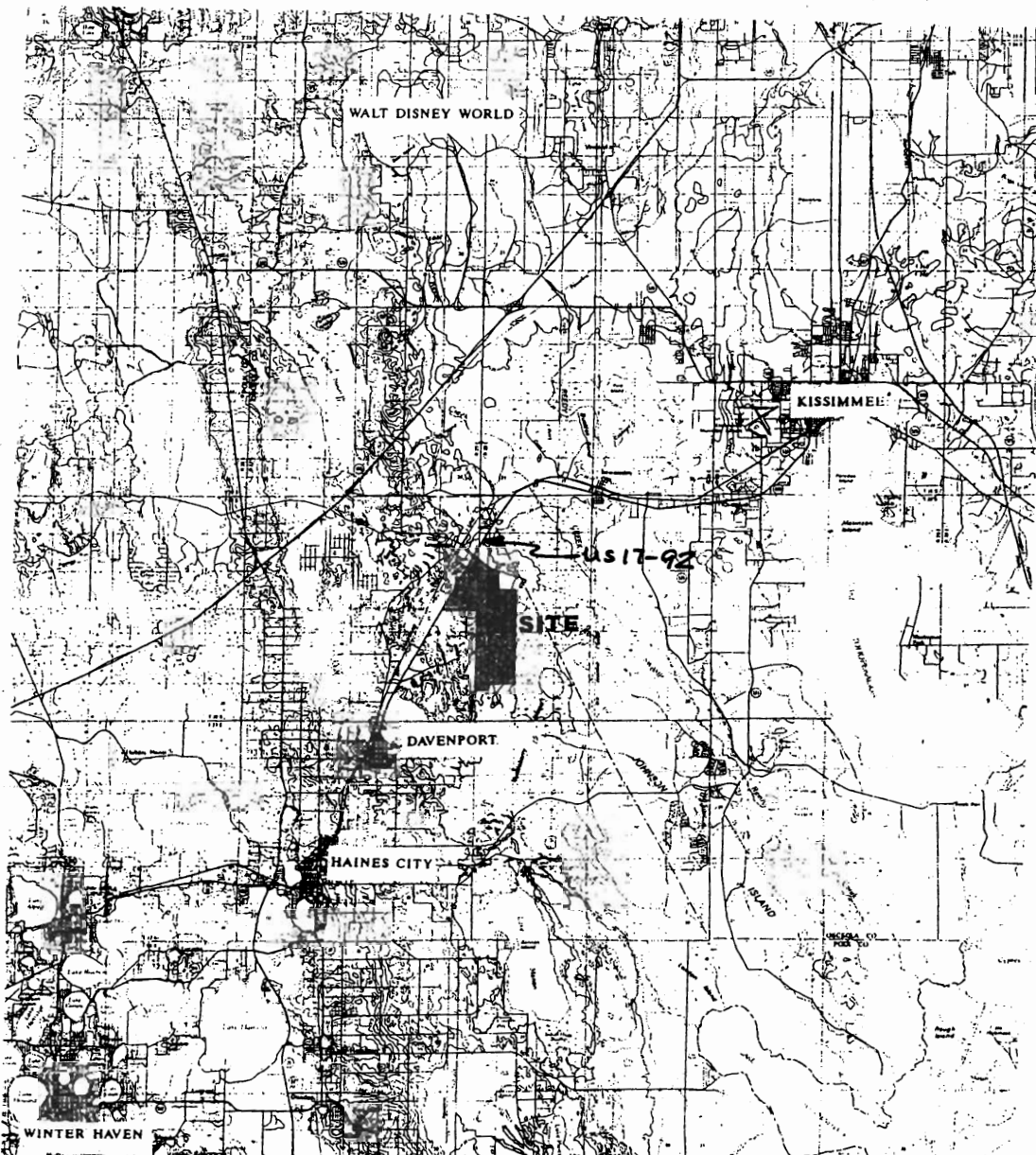
The Corps is not aware of any other threatened or endangered species on the project site.

NOTE: *This public notice is being issued based on information furnished by the applicant. This information has not been verified.*

AUTHORIZATION FROM OTHER AGENCIES: South Florida Water Management District (SFWMD): The SFWMD permit application number is 040220-40. The SFWMD has not issued a permit for this project.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within **30** days from the date of this notice.

If you have any questions concerning this application, you may contact Mike Nowicki of this office, telephone (904) 232-2171.
e-mail address: michael.f.nowicki@saj02.usace.army.mil



REGIONAL LOCATION

OAK HILLS ESTATES

A PLANNED COMMUNITY

OWNER • OAK HILLS ESTATES, PARTNERSHIP

APPLICANT • JANICE A. SUMMERS REALTY

PLANNER • HANSON, NEISWENDER, TAYLOR, INC.

ENGINEERING • MILLER & EINHUSE INC.

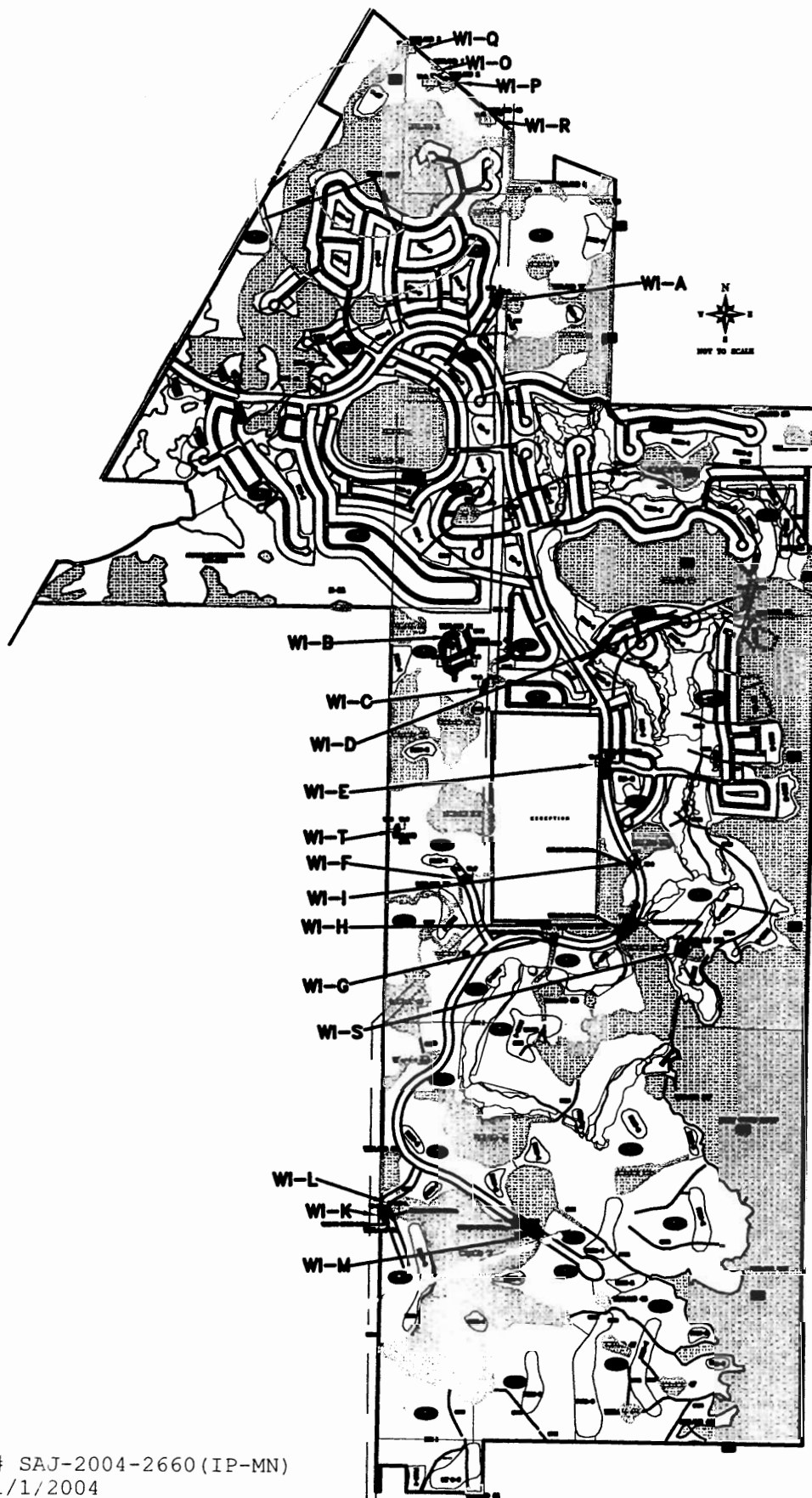
SURVEYING • EARNEST VANDIVER & ASSOC. INC.

TRANSPORTATION • TRAFFIC PLANNING & DESIGN, INC.

PROJECT MANAGER • HARLAN HANSON, INC.

COE APPL# SAJ-2004-2660 (IP-MN)
Date: 11/1/2004

MAP A



COE APPL# SAJ-2004-2660 (IP-MN)
Date: 11/1/2004

PROVIDENCE
(FKA: OAKHILLS)
KEYMAP
G.T. 8-20-04

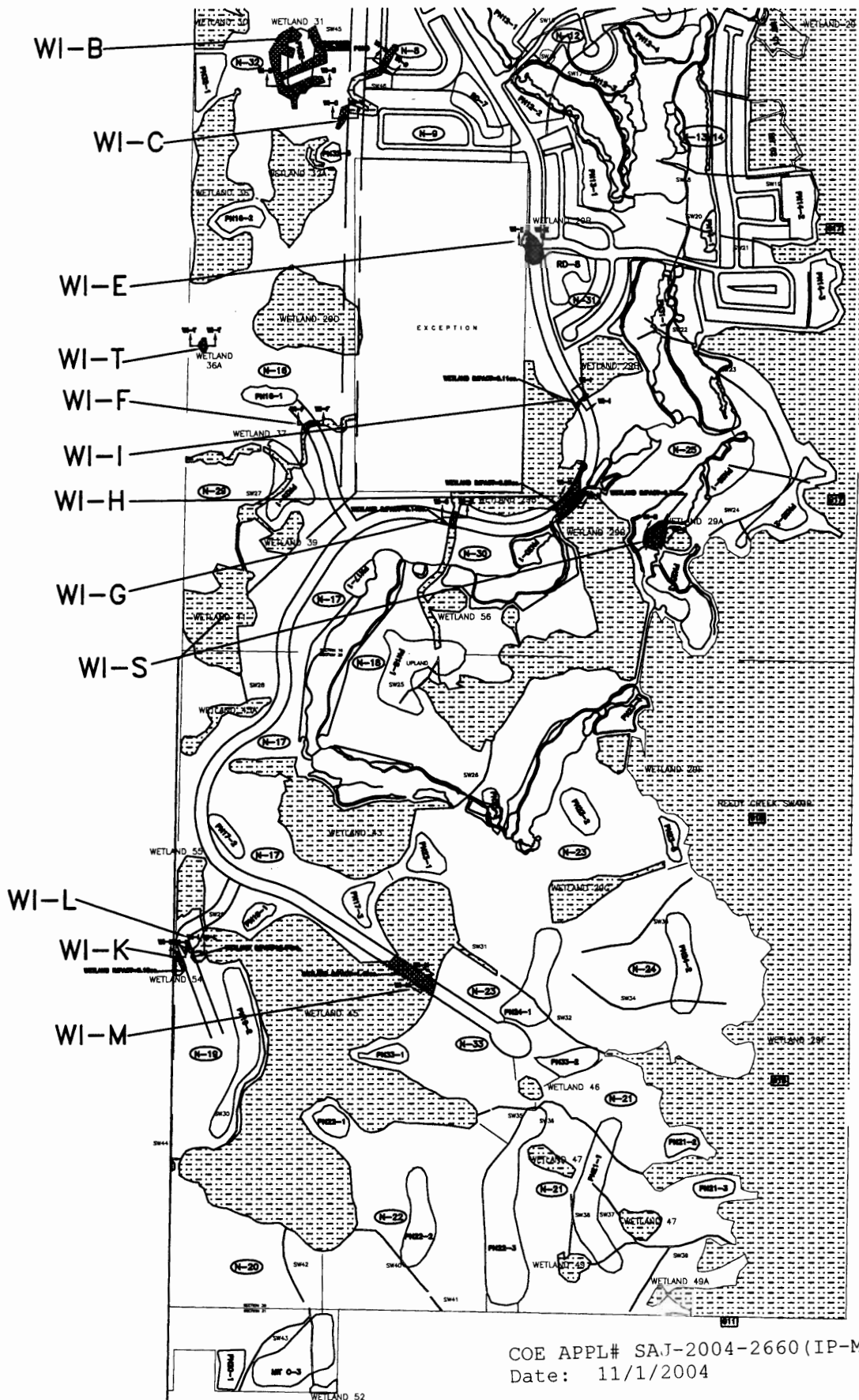


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PROVIDENCE
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KEYMAP ENLARGEMENT
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LEGEND

WETLAND IMPACT NAME	SECTION NAME	PAGE NUMBER
WI-A	SECTION A	6
WI-B	SECTION B	7
WI-C	SECTION C	8
WI-D	SECTION D	9
WI-E	SECTION E	10
WI-F	SECTION F	11
WI-G	SECTION G	12
WI-H	SECTION H	13
WI-I	SECTION I	14
WI-K	SECTION K	15
WI-L	SECTION L	16
WI-M	SECTION M	17
WI-O	SECTION O	18
WI-P	SECTION P	19
WI-Q	SECTION Q	20
WI-R	SECTION R	21
WI-S	SECTION S	22
WI-T	SECTION T	23
EAGLE NEST		24

COE APPL# SAJ-2004-2660 (IP-MN)
Date: 11/1/2004

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LEGEND

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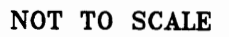


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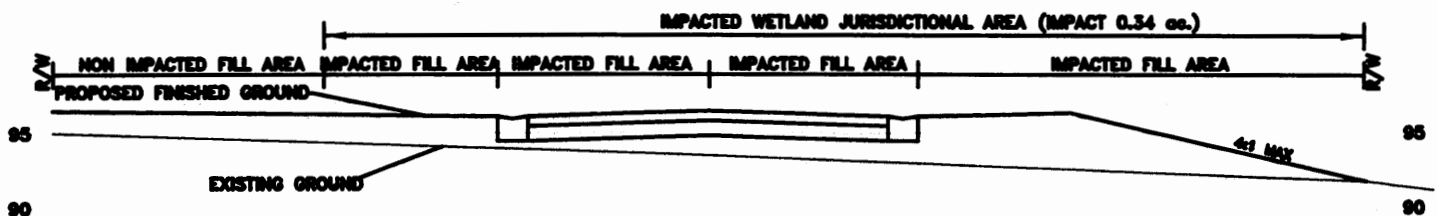
N-3



WETLAND

WETLAND 7B

WETLAND 7A



SECTION A
N.T.S.

COE APPL# SAJ-2004-2660 (IP-MN)
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WETLAND IMPACT SECTION
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NOT TO SCALE

SECTION 18
SECTION 19

WETLAND 30

WETLAND 31

SW45

PROPOSED RETENTION POND

N-32

PN32-1

PN32-1

WI-B

WI-B

SW46

WI-C

WI-C

WETLAND 36

WETLAND 32A

IMPACTED WETLAND JURISDICTIONAL AREA (1.48 ac.)

IMPACTED FILL AREA

IMPACTED CUT AREA

IMPACTED FILL AREA

PROPOSED FINISHED GROUND

EXISTING GROUND

SECTION B
N.T.S.

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Date: 11/1/2004

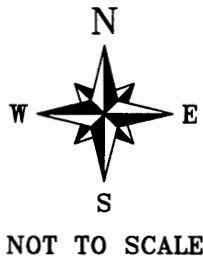
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SECTION 18
SECTION 19

WETLAND 30

WETLAND 31

SW45

PROPOSED
RETENTION POND

N-32

PN32-1

WI-B

WI-B

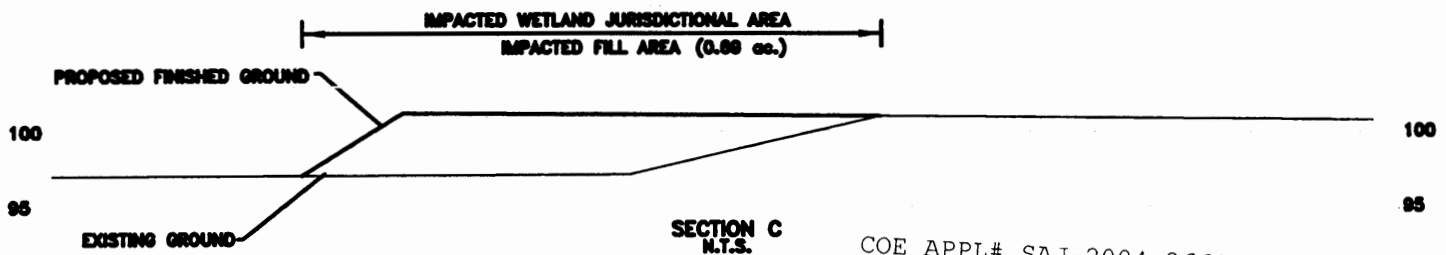
SW46

WI-C

WI-C

WETLAND 36

WETLAND 32A



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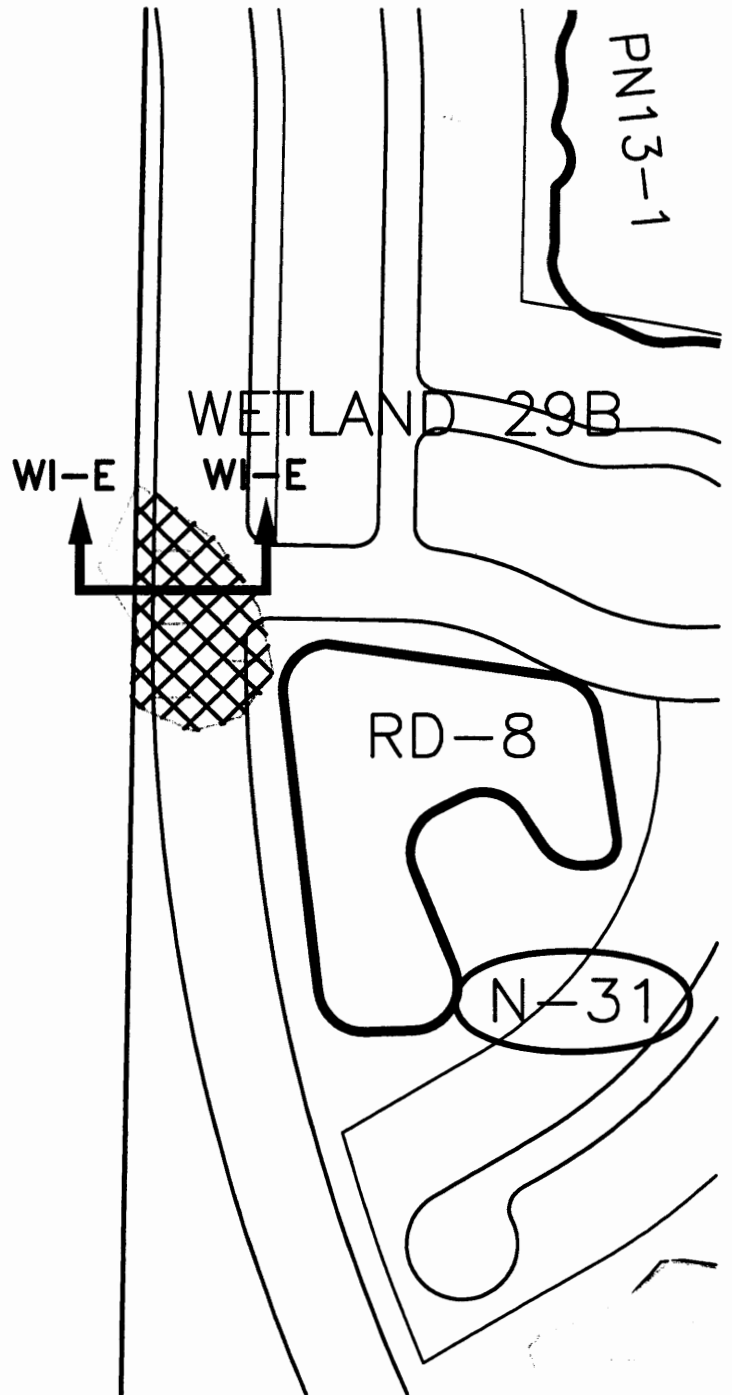
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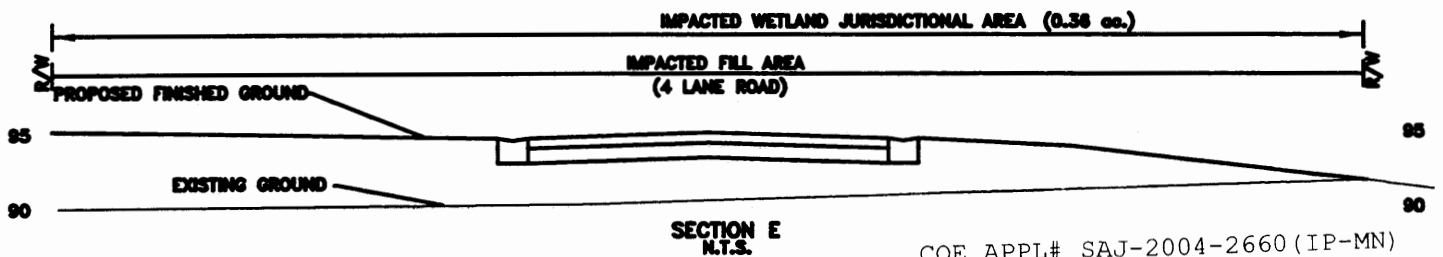


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E X C E P T I O N



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WETLAND 29D



N-16

PN16-1

WI-F

WI-F

WETLAND 37

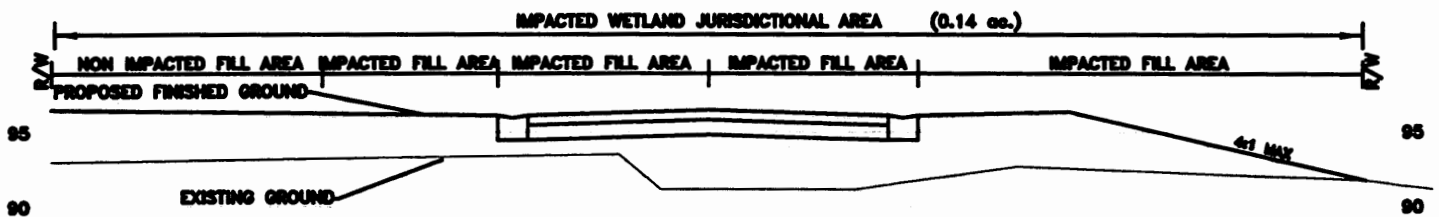
EXCEPTION

N-29

SW27

PN29-1

WETLAND 39



SECTION F
N.T.S.

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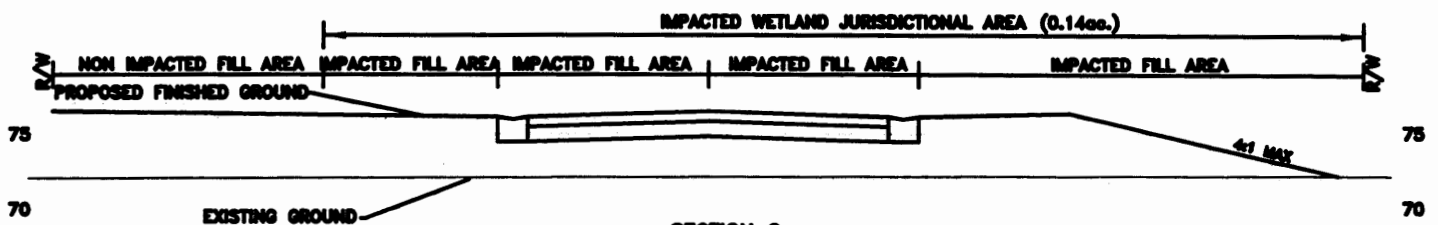
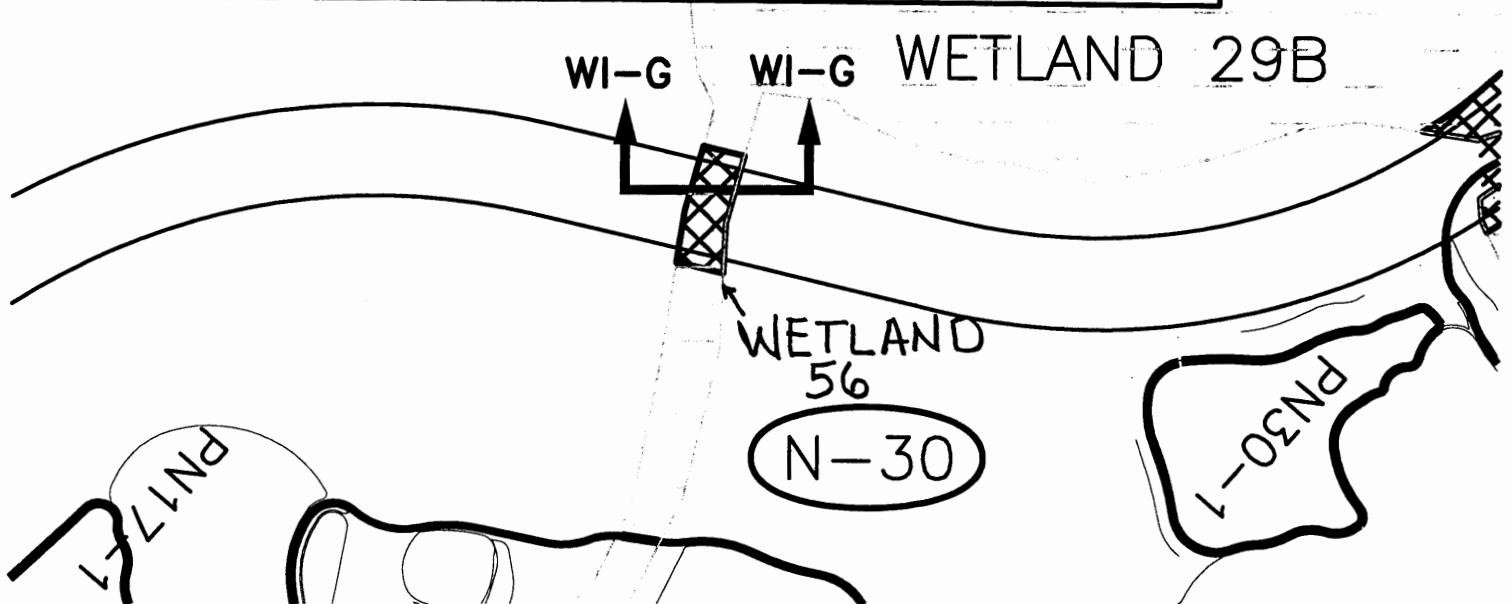
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WETLAND 29B

E X C E P T I O N



SECTION G
N.T.S.

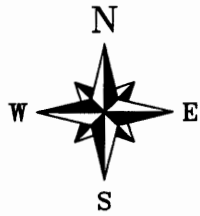
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Date: 11/1/2004

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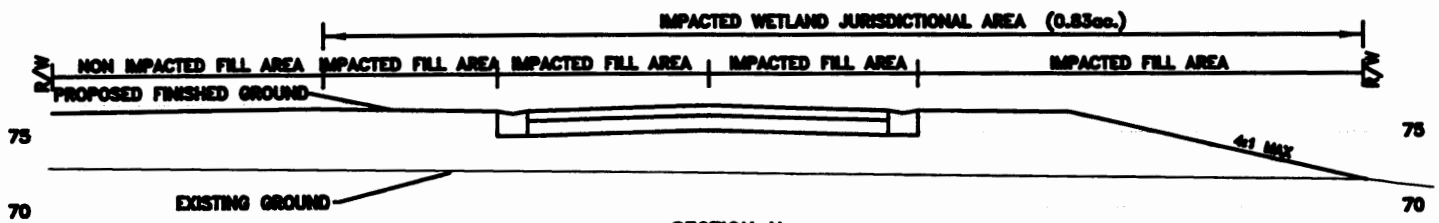
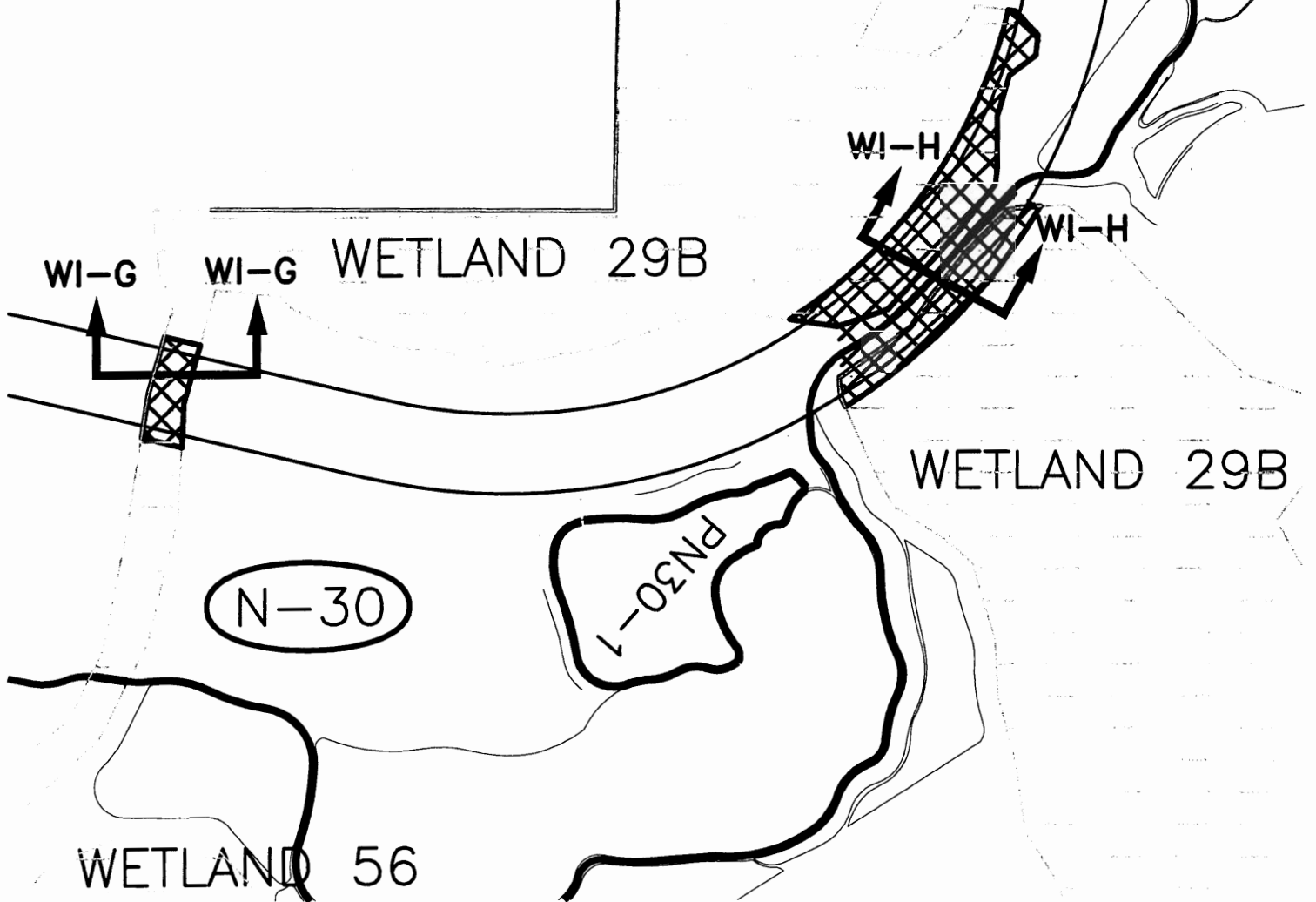
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EXCEPTION



SECTION H
N.T.S.

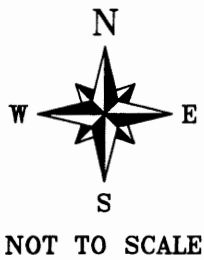
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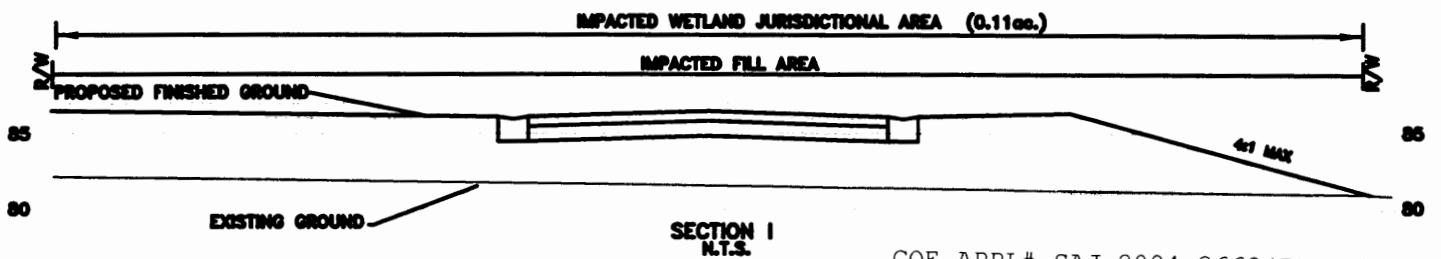
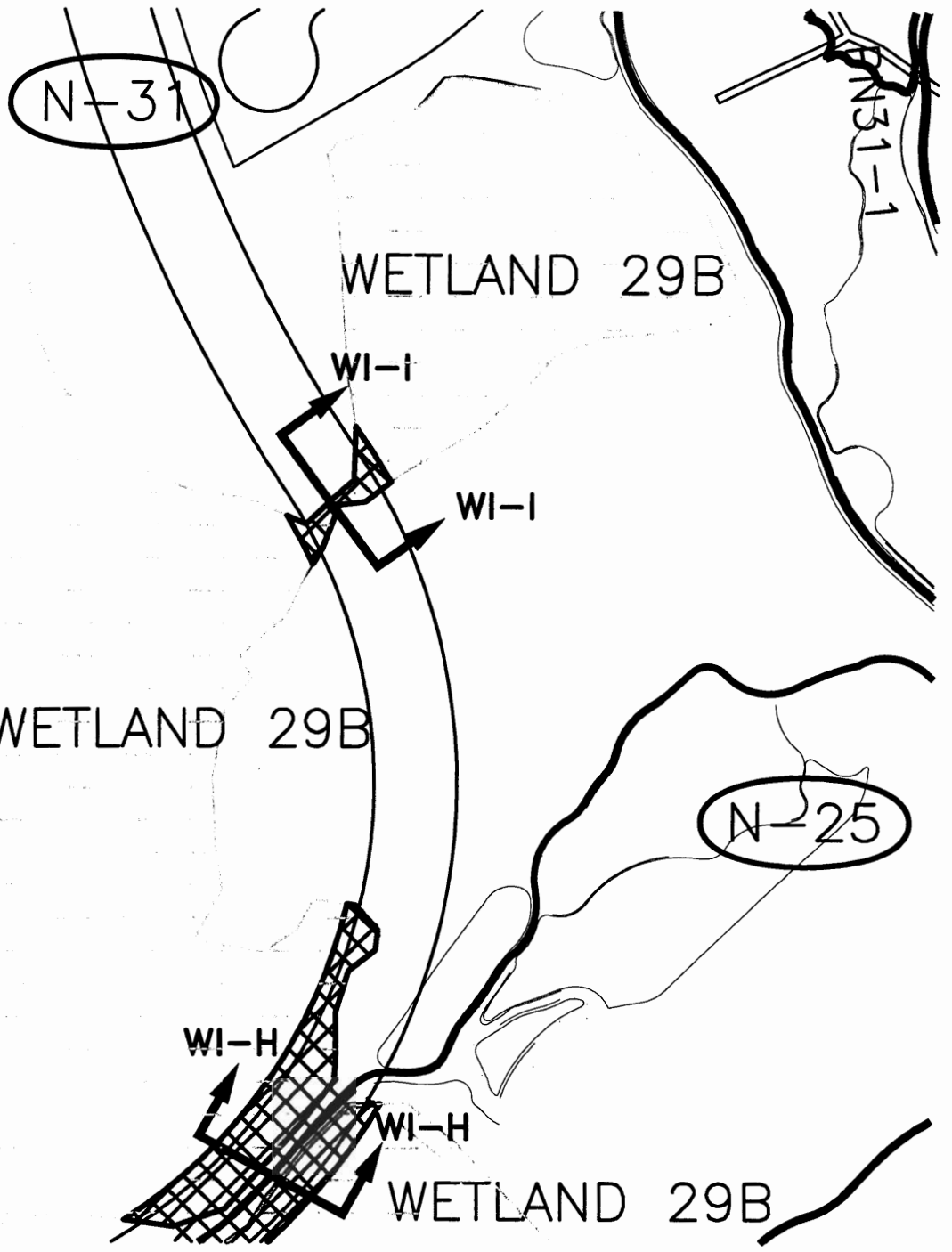


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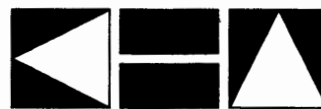


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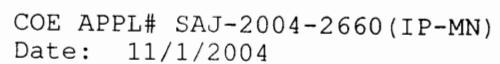
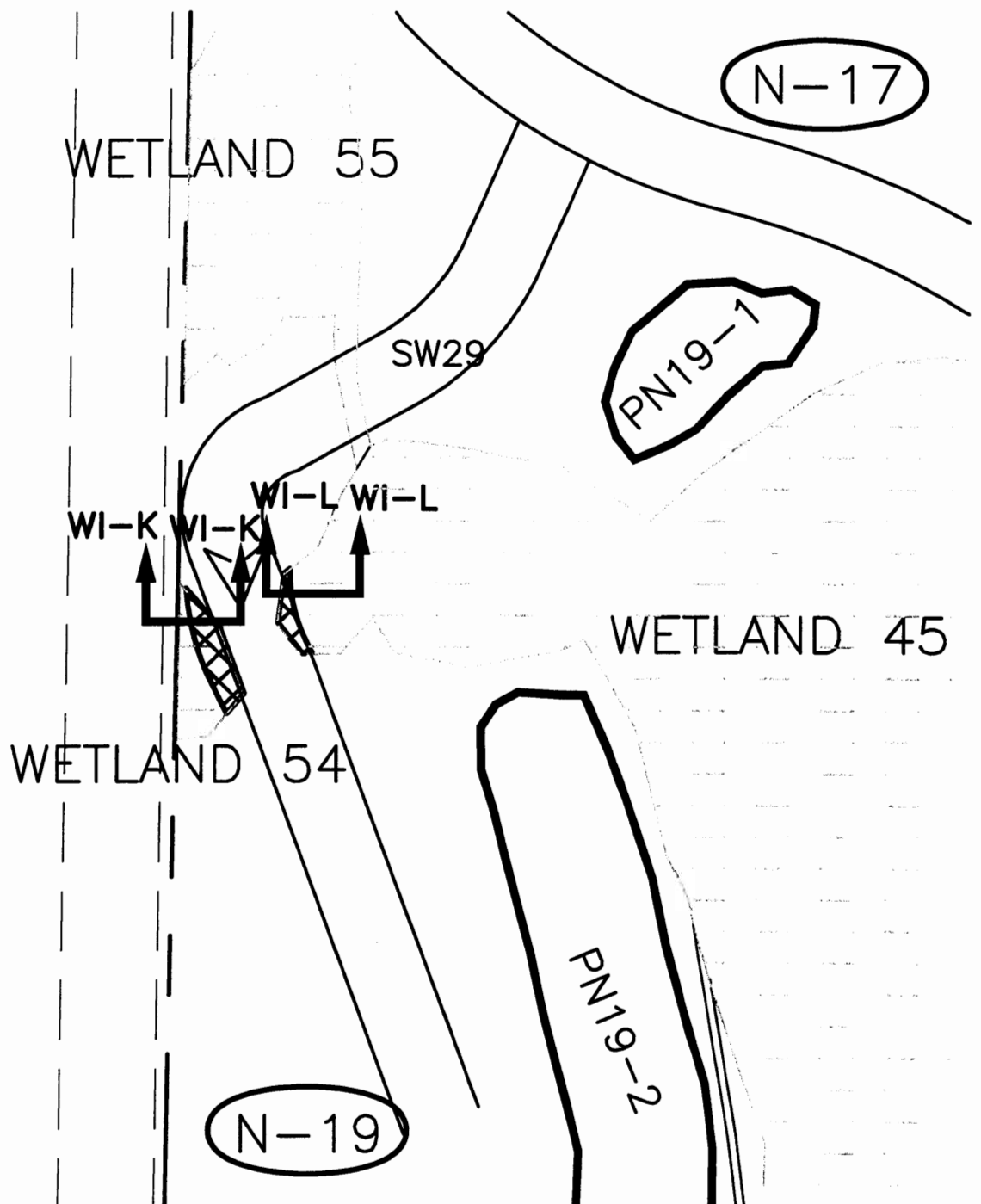
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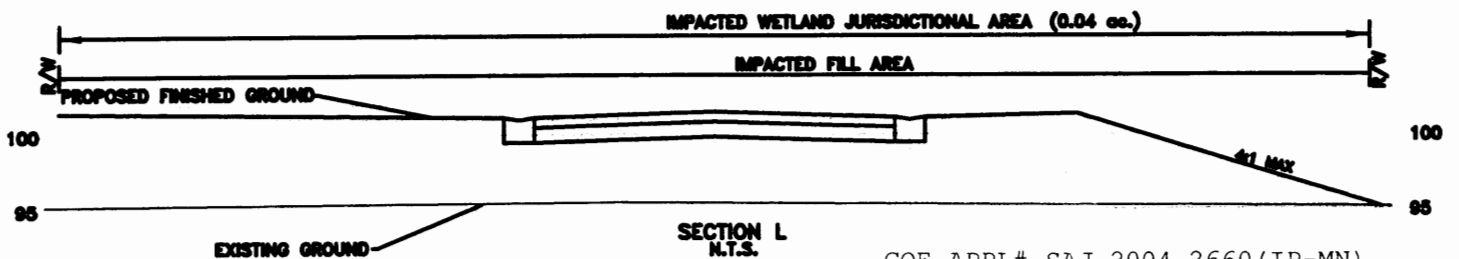
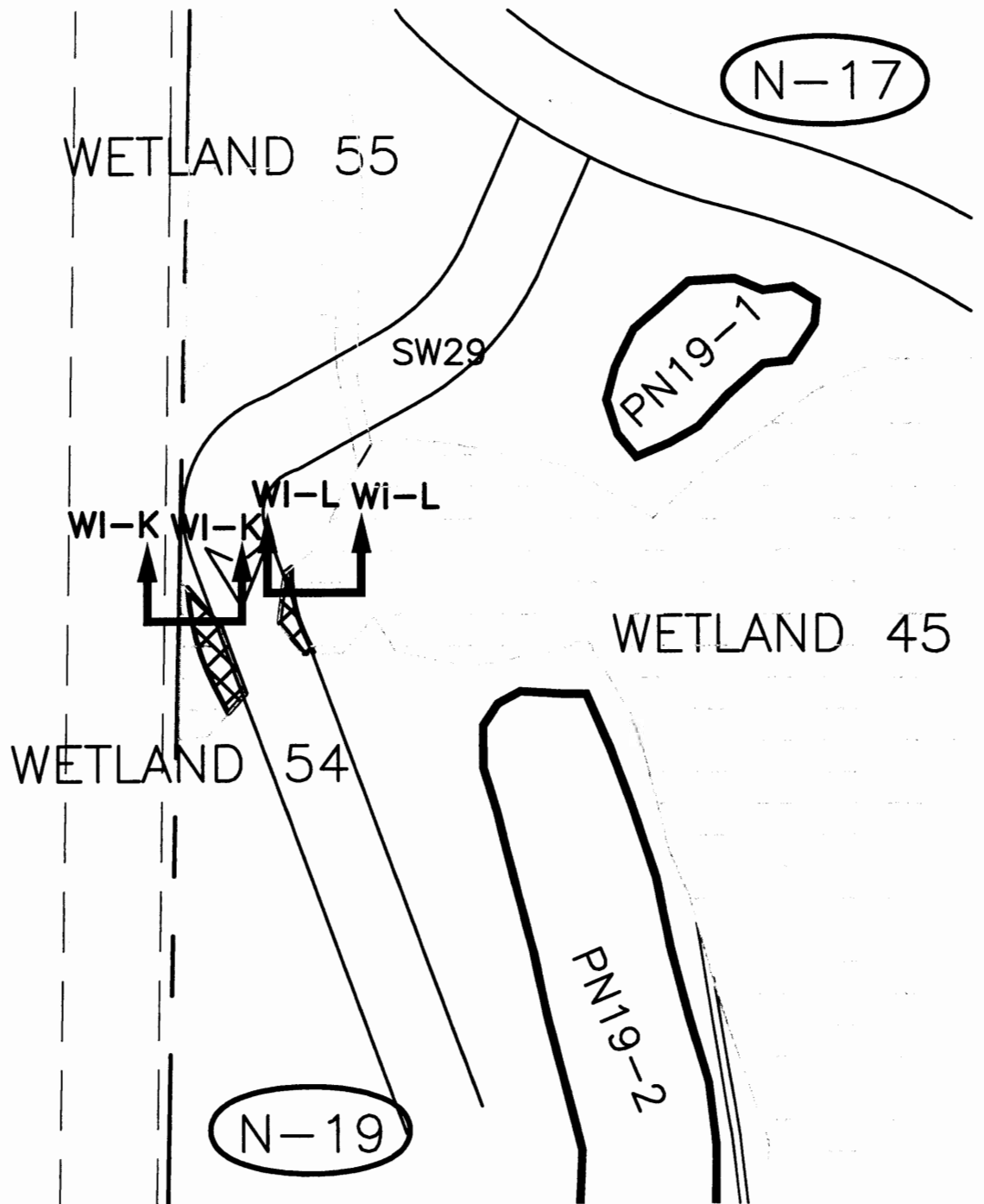


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N-17

PN17-3

N-23



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SW31

WI-M

WI-M

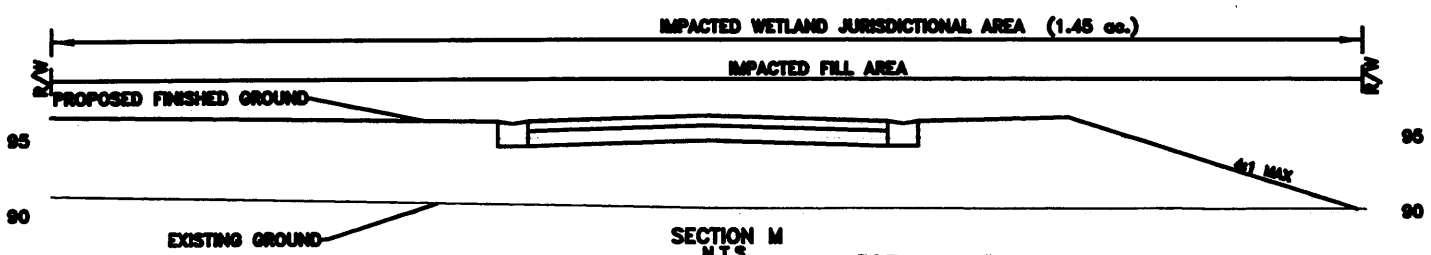
WETLAND 45

N-23

PN24-1

N-33

PN33-1



COE APPL# SAJ-2004-2660 (IP-MN)
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WETLAND 3
WI-Q WI-Q

WETLAND 1

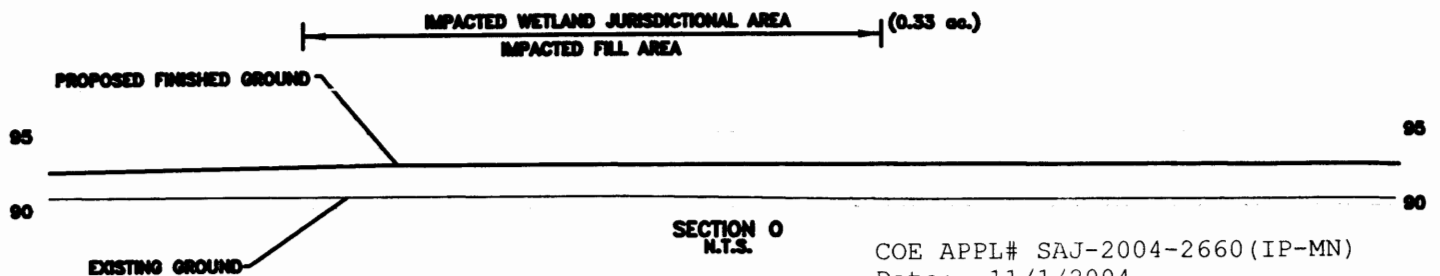
WETLAND 2
WI-O WI-O WI-P WI-P

KENNY HARMON ROAD
WETLAND 4B

WETLAND 3

923

PN27



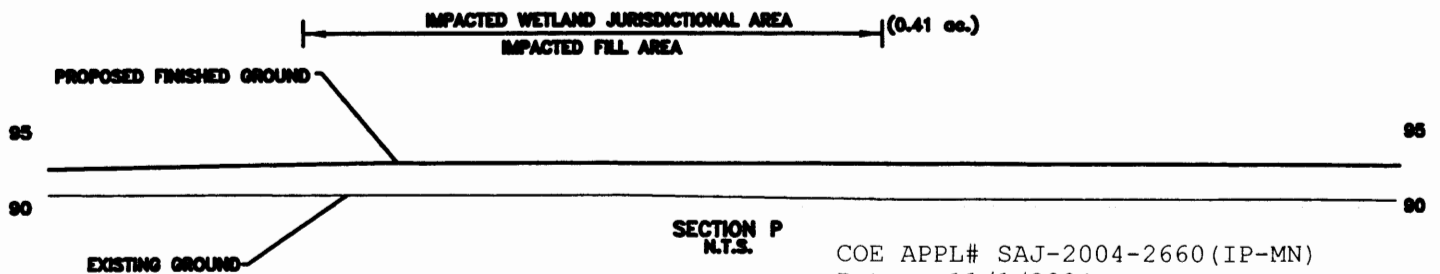
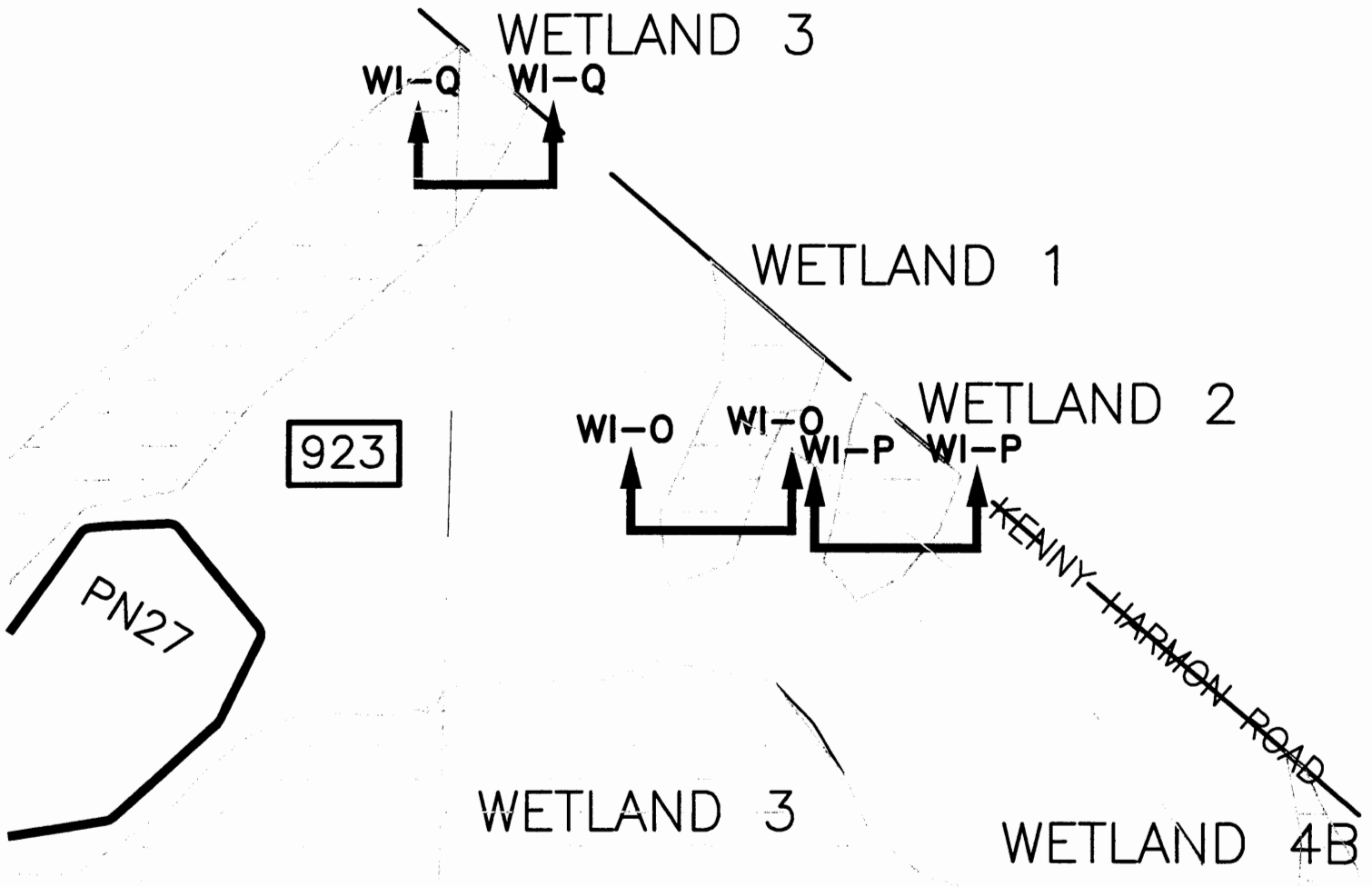
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SECTION P
N.T.S.

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WETLAND 3



WETLAND 1

WETLAND 2



KENNY HARMON ROAD

WETLAND 3

WETLAND 4B

923

PN27

IMPACTED WETLAND JURISDICTIONAL AREA (0.17 ac.)
IMPACTED FILL AREA

PROPOSED FINISHED GROUND

95

95

90

90

EXISTING GROUND

SECTION Q
N.T.S.

COE APPL# SAJ-2004-2660 (IP-MN)
Date: 11/1/2004

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WETLAND 1

WETLAND 2

WI-O

WI-O

WI-P

WI-P

KENNY HARMON ROAD

WETLAND 4B

WI-R

WI-R

WETLAND 3



NOT TO SCALE

IMPACTED WETLAND JURISDICTIONAL AREA
IMPACTED FILL AREA

(0.13 ac.)

PROPOSED FINISHED GROUND

95

95

90

90

EXISTING GROUND

SECTION R
N.T.S.

COE APPL# SAJ-2004-2660 (IP-MN)
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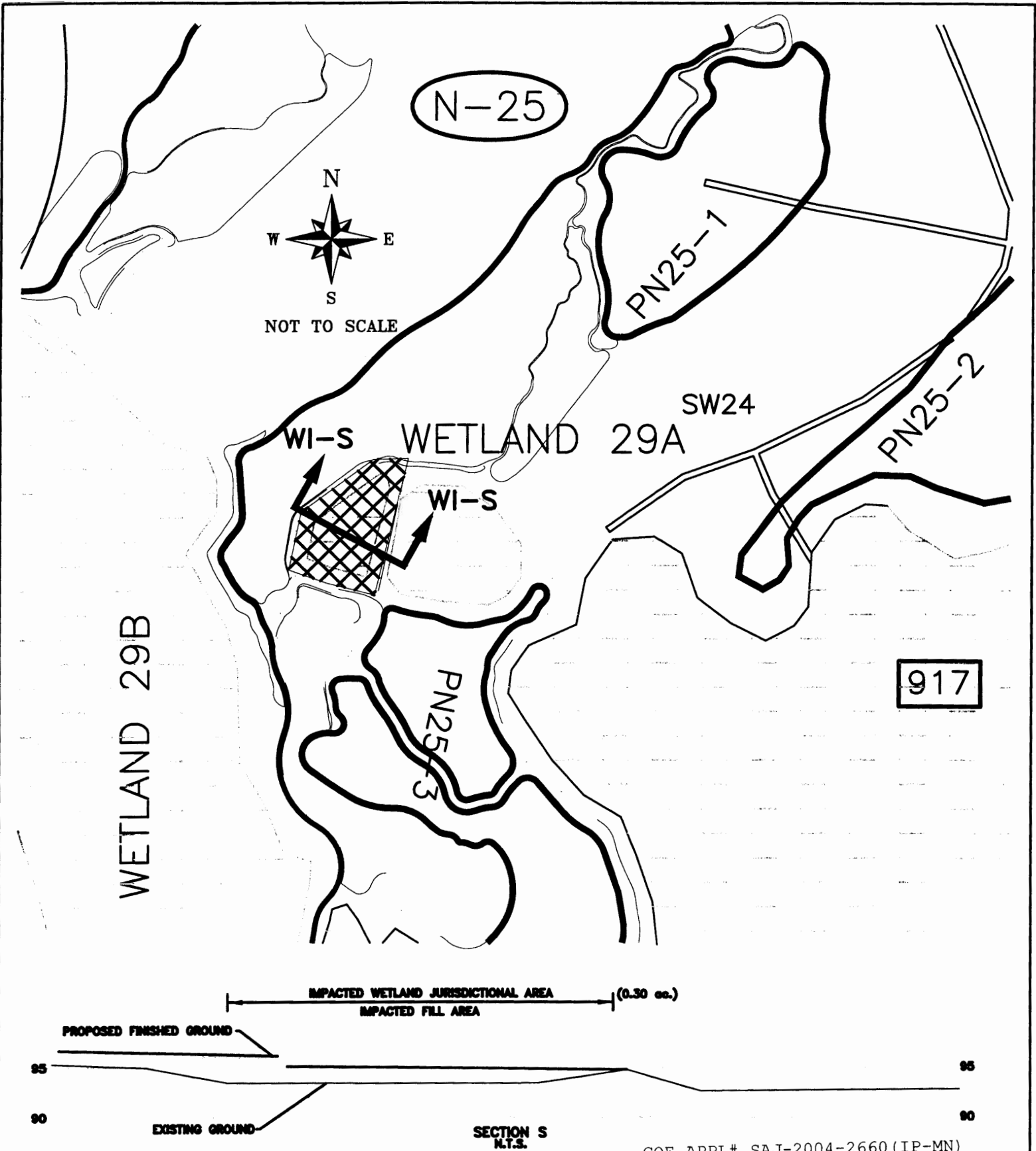
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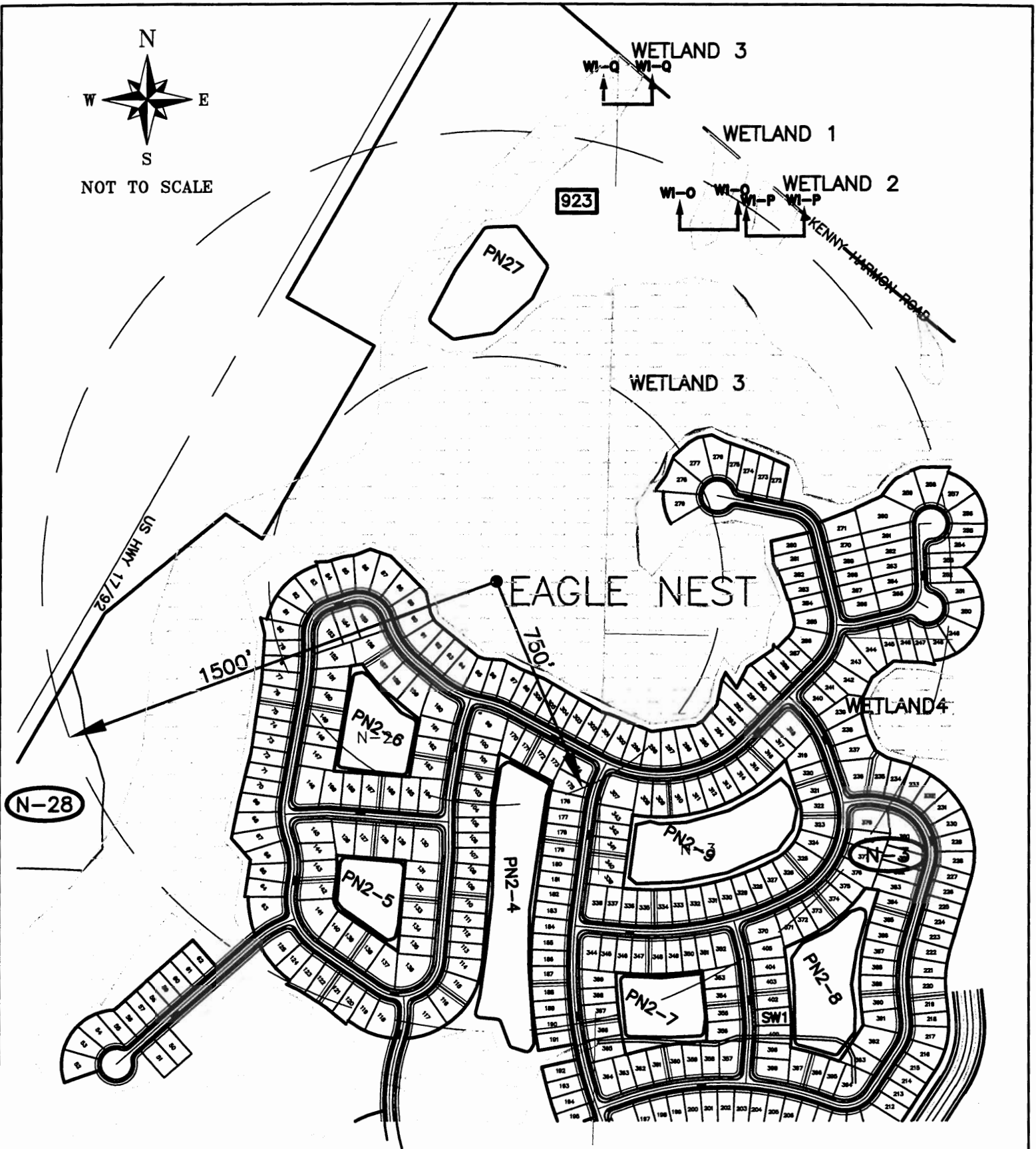
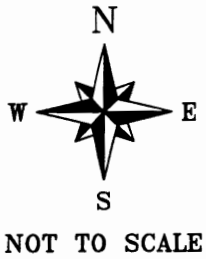
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PROVIDENCE
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EAGLE NEST LOCATION



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Wetland ID	Wetland Impact ID	Wetland Acreage	Proposed Wetland Impact Acreage	Proposed Surface Water Impact Acreage	Type of Impact	Preservation Acreage
29D		6.35 ac.				6.35 ac.
29E		0.08 ac.				0.08 ac.
29F		185.32 ac.				185.32 ac.
29G		3.14 ac.				3.14 ac.
30		3.13 ac.				3.13 ac.
31	WI-B	2.26 ac.		2.26 ac.	Pond dredge/Lot fill	0 ac.
32	WI-C	0.70 ac.		0.50 ac.	Pond dredge/Lot fill	0.20 ac.
32A		5.25 ac.				5.25 ac.
36		11.32 ac.				11.32 ac.
36A	WI-T	0.12 ac.		0.12 ac.	Dredge Pond	0 ac.
37	WI-F	0.78 ac.		0.12 ac.	Fill Roadway(two lane)	0.64 ac.
38		0.21 ac.				0.21 ac.
39		1.14 ac.				1.14 ac.
41		2.93 ac.				2.93 ac.
42A		0.12 ac.				0.12 ac.
43		11.81 ac.				11.81 ac.
45	WI-M,L	61.47 ac.	1.45 ac.		Fill Roadway(two lane)	60.02 ac.
45A		0.21 ac.				0.21 ac.
46		0.58 ac.				0.58 ac.
47		1.46 ac.				1.46 ac.
49		0.95 ac.				0.95 ac.
49A		0.23 ac.				0.23 ac.
51		0.30 ac.				0.30 ac.
52		0.81 ac.				0.81 ac.
53		22.14 ac.				22.14 ac.
54	WI-K	0.43 ac.	0.10 ac.		Fill Roadway(two lane)	0.33 ac.
55		0.26 ac.				0.26 ac.
56		1.44 ac.				1.44 ac.
56A	WI-G	0.79 ac.		0.14 ac.	Fill roadway/Golf Cart path	0.65 ac.
TOTALS		668.26 ac.	4.78 ac.	3.16 ac.		660.32 ac.

COE APPL# SAJ-2004-2660(IP-MN)
Date: 11/1/2004

Table 1. List of jurisdictional wetlands with acreage and proposed impacts.

Wetland ID	Wetland Impact ID	Wetland Acreage	Proposed Wetland Impact Acreage	Proposed Surface water Impact Acreage	Type of Impact	Preservation Acreage
1	WI-O	0.33 ac.	0.33 ac.		Fill Roadway, parking lot and building footprint	—
2	WI-P	0.41 ac.	0.41 ac.		Fill Roadway, parking lot and building footprint	—
3	WI-Q	48.97 ac.	0.17 ac		Fill Roadway, parking lot and building footprint	48.80 ac.
3A		62.23 ac.				62.23 ac.
3B		0.49 ac.				0.49 ac.
3C		1.54 ac.				1.54 ac.
4		2.74 ac.				2.74 ac.
4A		6.52 ac.				6.52 ac.
4B	WI-R	0.13 ac.	0.13 ac.		Fill Roadway, parking lot and building footprint	—
5		1.21 ac.				1.21 ac.
6		0.64 ac.				0.64 ac.
7		1.45 ac.				1.45 ac.
7A	WI-A	24.25 ac.	0.34 ac.		Fill Roadway(two lane)	23.91 ac.
7B		0.28 ac.				0.28 ac.
8		1.62 ac.				1.62 ac.
9		6.40 ac.				6.40 ac.
10		0.71 ac.				0.71 ac.
10A		0.29 ac.				0.29 ac.
11A		1.23 ac.				1.23 ac.
12		9.17 ac.				9.17 ac.
13		1.51 ac.				1.51 ac.
14		0.32 ac.				0.32 ac.
15		2.60 ac.				2.60 ac.
16		8.99 ac.				8.99 ac.
17		3.35 ac.				3.35 ac.
17A		0.09 ac.				0.09 ac.
18		0.17 ac.				0.17 ac.
19		0.61 ac.				0.61 ac.
20		0.09 ac.				0.09 ac.
22		0.28 ac.				0.28 ac.
23		3.90 ac.				3.90 ac.
25		0.73 ac.				0.73 ac.
26		2.16 ac.				2.16 ac.
26A		0.11 ac.				0.11 ac.
28		2.19 ac.				2.19 ac.
29	WI-D	98.54 ac.	0.07 ac.		Fill Roadway,Golf Cart Path	98.47 ac.
29A	WI-S	1.22 ac.	0.30 ac.		Fill Golf course	0.92 ac.
29B	WI-H,I	37.95 ac.	0.94 ac.		Fill roadway(two lane)	37.01 ac.
29b	WI-E	0.64 ac.	0.64 ac.		Fill Roadway(four lane)	0 ac.
29C		1.80 ac.				1.80 ac.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division